

LAW OFFICE OF PETER J. TOREN

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Attorneys for Plaintiff and Counterclaim-Defendant
Advanced Analytics, Inc.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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ADVANCED ANALYTICS, INC.

Plaintiff and Counterclaim-Defendant,

No. 04 Civ 3531(LTS)(SLC)

CITIGROUP GLOBAL MARKETS, INC. f/k/a:
SALOMON SMITH BARNEY, INC., and THE:
YIELD BOOK INC, f/Wa SALOMON
ANALYTICS, INC.,

Defendants and Counterclaim-Plaintiff.:

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**DECLARATION OF PETER J. TOREN IN SUPPORT OF PLAINTIFF'S
MOTION FOR JUDICIAL NOTICE OF DOCUMENTS AND FACTS
PURSUANT TO F.R.E.201 AND THE COURT'S INHERENT POWER**

Pursuant to 28 U.S.C. § 1746, Peter J. Toren declares as follows:

1. I am a member of the bar of the United States District Court for the Southern District of New York and counsel for Plaintiff Advanced Analytics, Inc. ("Plaintiff") in the above captioned matter.

2. I submit this declaration on behalf of Plaintiff in support of Plaintiffs Request for Judicial Notice Pursuant to Rule 201 of the Federal Rules of Evidence and the Court's Inherent Power.

3. I attach true and correct copies of the following documents as Exhibits A through K.

Exhibit	Document
A	Email from Chambers of Judge Laura Taylor Swain to Defense Counsel: Christopher Moore, Jennifer Park, and Thomas Kessler; and Plaintiff's counsel: Peter J. Toren and James Li, on January 26, 2021.
B	Plaintiff's Memorandum of 2008-4-24 in Opposition to Defendants Motion for Summary Judgment
C	Plaintiff's Response of 2008-4-24 to Defendants' Alleged Undisputed Fact Under Local Rule 56.1.
D	Dr. Xiaolu Wang's letter of May 31, 2017 to MJ Pitman, <u>2017-5-31 Wang 2 Judge Pitman.pdf</u> (Ex. 1, Sixth Declaration of Dr. Xiaolu Wang, November 12, 2018. ECF.443)
E	Todd Collins' letter of June 1, 2017 to MJ Pitman.
F	Dr. Xiaolu Wang's letter of May 31, 2017 to MJ Pitman
G	Todd Collins' letter of June 5, 2017 to MJ Pitman
H	Dr. Xiaolu Wang's letter to MJ Pitman of June 7, 2017, cc'ed to Judge Laura T. Swain, with the following letters as attachments in chronological order: the letter of Dr. Wang to MJ Pitman of 2017-5-31 (the file with original name "2017-5-31Wang 2 Judge Pitman.pdf"); the letters of Dr. Wang to MJ Pitman of 2017-6-2, and 2016-11-30, 2017-1-4; Todd Collins letters to MJ Pitman of 2017-6-1 & 6-5; 2016-12-1, 2016-12-12 and 2017-1-5; Christopher Moore letters to MJ Pitman of 2016-12-6, 2016-12-14 and 2017-1-10.
I	The Summary Index "03.Index" of Defendants 1st Production of March 1, 2021 to Chambers of Judge Laura T. Swain. Ex.I- 2021-3-1 DefendantsProducitonIndex03
J	The File Names of Defendants 1st Production of March 1, 2021 to Chambers of Judge Laura T. Swain. ExJ-2021-3-1 DefendantsProducitonFileNamesP3.
K	Ex SSS (Fan 4th Decl. figures), of Declaration of Kimberly Walker of June 6, 2013, ECF219.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 1, 2022 in Atlanta, Georgia.

A handwritten signature in black ink, reading "Peter J. Toren". The signature is written in a cursive style with a large initial "P" and a distinct "J".

Peter J. Toren